

## **REMARKS/ARGUMENTS**

Reconsideration of this patent application is respectfully requested in view of the foregoing amendments, and the following remarks.

It is respectfully submitted that *Suita* does not teach the pressure element and the spacer as claimed in claims 1, 19 and 21. The pressure element and spacer are configured to protect the electrode so that the service life is substantially increased. In this case, the spacer and the pressure element are configured to lift the protection strip from the electrode during or after opening of the spot welding tong and during a displacement of the strip.

The Examiner has rejected claims 1-10, 19, 21-23 and 25-29 under 35 U.S.C. §103(a) as being unpatentable over DE 44 16 504 to *Erras et al* in view of Caprioglio (US Patent NO. 5,811,750; in view of Nishimura (JP05192774) and in further view of U.S. Patent Application Publication No. 2001/0045413.

The Examiner has stated that Erras in FIG. 4 discloses spacers which lift the strip off of the electrode. Instead, in Erras, the element cited by the examiner element 8 is a receptacle, and is respectfully submitted that this receptacle does not lift the spacer and the strip off of the electrode cap.

The Examiner has attempted to overcome the drawbacks of Erras by combining this patent with *Suta*. *Suita* does not show a strip for the protection of the electrodes. In addition, *Suita* does not disclose a protection strip and especially the possibility to lift the protection strip from the electrode cap after the spot welding process, and during the movement of the protection strip relative to the electrode cap.

With the present invention as claimed in claims 1, 19, and 21 these claims include the following elements

wherein said spacer and said pressure element are configured to lift said strip from said at least one electrode during or after an opening of the spot welding tongs to protect said at least one electrode and wherein the spacer and the pressure element are movable relative to said at least one electrode of said electrodes.

This feature is not shown or taught in the above cited documents.

For example, the pressure element and the spacer of the present invention as claimed in claims 1, 19, and 21 is totally different from *Suita*. This is because the spacer element and the pressure element of the present invention results in the protection strip being lifted off of the electrode surface or the electrode cap after the welding process to avoid friction on the electrode during the displacement of the strip and during the opening of the welding tongs.

Thus, with the present invention, the electrode and the protection strip or a coating of the protection strip is protected and the service life is substantially increased.

Therefore, this document cannot make obvious a construction by which the protection strip can be lifted off the electrode cap during the displacement or transportation of the protection strip as is claimed in claims 1, 19, and 21 and also as claimed in claims 25-27 as well.

Therefore, it is respectfully submitted that claims 1, 19, and 21 are patentable over the above cited documents taken either singularly or in combination. The remaining dependent claims depend from either claims 1, 19, or 21. Therefore, early allowance of the remaining claims is respectfully requested.

Independent claims 1, 19 and 21 remain in the application. Claims 1-4, 19, 21, have been amended. Claims 11-18, 20 and 24 have been canceled without prejudice. Claims 1-10, 19, 21, 22-23, and 25-29 remain in the application.

Respectfully submitted,

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Enclosure:

I hereby certify that this correspondence is being electronically filed in the United States Patent and Trademark Office on December 16, 2010.

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